

REMARKS/ARGUMENTS

Reconsideration of this application, as amended and in view of the following remarks, is respectfully requested.

This amendment accompanies the filing of a Request for Continued Examination (RCE) in the present application. The amendment is intended to address the issues raised by the Examiner's Answer in the pending Appeal, and the matters discussed during a teleconference with the Examiner on October 4th, 2006, which was attended by the Examiner's Supervisory Examiner. It is understood that under 37 CFR §1.114 (d), the filing of this amendment and RCE will be treated as a request to withdraw the Appeal and re-open prosecution before the Examiner. Attorney for Applicant wishes to thank both the Examiner and the Supervisory Examiner for their time and assistance during the teleconference.

This amendment amends claims 19-25, 27, 29-30, 32-33, and 35. New claims 37-41 have been added. Support for the amendments and new claims are found in the specification at pages 2-5, page 7, lines 3-20, page 10, line 11 to page 11, line 29, and elsewhere in the application. No new matter has been introduced by the amendments or new claims.

In the Examiner's Answer to the brief filed in the Appeal of the rejection of the claims in this application, the Examiner rejected claims 19-32 and 35-36 under 35 U.S.C. § 102 (e) as being anticipated by Brodsky (U.S. Patent No. 5,809,471, herein after referred to as "Brodsky"). The Examiner further rejected claims 33-34 under 35 U.S.C. § 103 (a) as being unpatentable over Brodsky. It is respectfully submitted that the amendments made to the claims by virtue of this amendment overcome the Examiner's rejection of the claims, and that as a result, those rejections should be withdrawn.

Rejection under 35 U.S.C. § 102 (e)

As noted, the Examiner rejected claims 19-32 and 35-36 under 35 U.S.C. § 102 (e) as being anticipated by Brodsky. Attorney for Applicant submits that Brodsky fails to teach or suggest each of the claimed elements of the rejected claims, and that as a result the rejection should be withdrawn.

Claim 19 as amended by this amendment recites:

A method for searching in a multimedia signal, comprising:
receiving a search parameter corresponding to a first data format component of the multimedia signal, **the multimedia signal including the first data format component and a second data format component;**
searching the multimedia signal to identify an occurrence of the search parameter in the first data format component of a multimedia signal;
determining a portion of the second data format component of the multimedia signal that corresponds to the identified occurrence of the search parameter in the first data format component of the multimedia signal; and
synchronizing a first segment and a second segment of the multimedia signal, wherein the first segment includes the occurrence of the search parameter in the first data format component of the multimedia signal and the second segment includes the portion of the second data format component of the multimedia signal that corresponds to the occurrence of the search parameter in the first data format component. (emphasis added).

The embodiment of the present invention recited in amended claim 19 is directed to a method of searching in a multimedia signal, where the signal includes first and second data components. Further, the first and second data components are in a first and second data format. The claimed embodiment is directed to searching for an occurrence of a search parameter in one of the data components, determining a corresponding portion of the second data component and

then synchronizing the two data components of the multimedia signal. This is achieved by synchronizing a segment of the first data component that includes the search parameter and a segment of the second data component that includes the part corresponding to the search parameter.

Thus, the embodiment of the invention recited in claim 19 is concerned with a multimedia signal that includes first and second data components in the signal itself. The embodiment of the invention is further concerned with using an occurrence of a search parameter in one of the components as a means of synchronizing the two data components by finding a portion of the second data component that corresponds to the occurrence of the search parameter in the first data component. It is submitted that one or more of these features of the claimed invention distinguish it from the art cited by the Examiner.

It is submitted that Brodsky does not teach or suggest the emphasized aspects of the claimed invention. Specifically, Brodsky does not teach or suggest a signal containing a first and second data component. Further, Brodsky does not teach or suggest using a search parameter to search in the multimedia signal to identify corresponding segments of first and second data format components of the same multimedia signal. In addition, Brodsky fails to teach or suggest using those identified segments to synchronize the two data format components of the signal.

Instead, Attorney for Applicant understands Brodsky to disclose a system and method to enable a user to obtain information about a topic or item of interest that they hear about or see in a television program or similar type of program. The program presents certain information to the user. The user may then enter a word or words into a user interface. The Brodsky system then attempts to match the user entered data to keywords derived from the broadcast that describe terms or items mentioned in the broadcast. If a match is found, the Brodsky system may then be used to request additional information about that term or item from another source. See Brodsky, column 3, line 52 to column 4, line 3 and column 6, lines 12-42.

Thus, Brodsky discloses an information retrieval system, not a method of searching within a multimedia signal to determine an occurrence of a search parameter in one data

component of the signal, followed by finding a corresponding section of a second data component, and then synchronizing the two data components. As a result, Attorney for Applicant submits that Brodsky does not teach or suggest a multimedia signal that includes data in two formats and the use of the claimed search and synchronization method.

Therefore, it is submitted that claim 19, as amended by this amendment, is not anticipated by Brodsky. Further, it is submitted that claims 20-28, which each depend directly or indirectly from claim 19 are similarly not anticipated by Brodsky.

It is further noted that the embodiment of the invention recited in independent claim 29, as amended, contains the following elements:

determining a portion of a second data format component of the multimedia signal that corresponds to the identified occurrence of the search parameter in the first data format component of the multimedia signal; and
synchronizing a first segment and a second segment of the multimedia signal, wherein the first segment includes the occurrence of the search parameter in the first data format component of the multimedia signal and the second segment includes the portion of the second data format component of the multimedia signal that corresponds to the occurrence of the search parameter in the first data format component. (emphasis added).

As with the discussion of claim 19, it is submitted that Brodsky fails to teach or suggest the emphasized elements, since Brodsky does not disclose a multimedia signal having first and second data format components or the claimed search and synchronization method. Therefore, it is submitted that Brodsky fails to anticipate claim 29 and its related dependent claims (30, 33, and 35) rejected by the Examiner.

In view of the above remarks, it is submitted that Brodsky fails to anticipate the rejected claims and that the Examiner's rejection under 35 U.S.C. § 102 (e) has been overcome and should be withdrawn.

Rejection under 35 U.S.C. § 103 (a)

As noted, the Examiner rejected claims 33-34 under 35 U.S.C. § 103 (a) as being unpatentable over Brodsky. However, it is submitted that Brodsky does not teach or suggest the invention of claims 33 and 34, and that as a result, Brodsky fails to render the claimed invention unpatentable. It is noted that claims 33 and 34 are dependent claims that depend from independent claim 29. As has been argued with reference to the rejection under section 102(e), Brodsky fails to teach or suggest one or more of the elements of claim 29. As a result, Brodsky cannot teach or suggest each element of claim 33 or 34. Therefore, it is submitted that Brodsky fails to render claims 33 and 34 unpatentable and that the Examiner's rejection under 35 U.S.C. § 103 (a) has been overcome and should be withdrawn.

Discussion of new claims 37-41.

As noted, new claims 37-41 have been added by this amendment. New claim 37 is an independent claim, and claims 38-41 depend from that claim. Claim 37 recites:

A method of processing a multimedia signal, comprising:
receiving a search parameter, the search parameter being in a first data format;
processing the multimedia signal to determine an occurrence of the search parameter in a first component of the multimedia signal, wherein **the multimedia signal has at least the first component and a second component, the first component being in the first data format and the second component being in a second data format**; and
determining a portion of the second component of the multimedia signal that corresponds to the occurrence of the search parameter in the first component. (emphasis added).

Attorney for Applicant submits that Brodsky fails to teach or suggest each of the emphasized elements of the embodiment of the invention recited in claim 37. Specifically, Brodsky does not disclose processing a multimedia signal that has two components of different data formats to find an occurrence of a search parameter in one of the components. Further, Brodsky fails to disclose using the search results to determine a portion of the second component that corresponds to the occurrence of the search parameter.

As a result, it is submitted that Brodsky does not anticipate or make obvious the embodiment of the invention recited in new claim 37. Further, because new claims 38-41 depend from new claim 37, it is submitted that Brodsky does not anticipate or make obvious the embodiment of the invention recited in those claims.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 206-467-9600.

Respectfully submitted,

OCT. 18, 2006
Date

Alan D. Minsk
Reg. No. 35,956

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 206-467-9600
Fax: 415-576-0300

ADM:clm

60888408 v1